ORDINANCE 05-18A

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE #04-09,
OF THE TOWN OF NOLENSVILLE, TENNESSEE**

WHEREAS, the Town of Nolensville enacted Zoning Ordinance 04-09 in 2004. Prior to the enactment of 04-09, the Town enacted Ordinance #98-22 in 1998 which amended the initial zoning ordinance of the Town of Nolensville. Subsequent amendments have been enacted prior to the enactment of Ordinance 04-09; and

WHEREAS, The Town of Nolensville Planning Commission met on June 9, 2005, and discussed the policy of how the Town of Nolensville should treat automotive and other vehicular sales in its zoning ordinance

WHEREAS, the Town of Nolensville Planning Commission has recommended certain the amendments to the Nolensville Board of Mayor and Aldermen,

WHEREAS, the Board of Mayor and Aldermen have conducted a public hearing on _____, 2005, thereon; and

WHEREAS, The Board of Mayor and Aldermen believe it is in the best interest of the citizens and residents of the Town to revise the Ordinance 04-09 as it relates to the treatment of automotive and vehicular sales;

NOW, THEREFORE BE IT ORDAINED BY THE BOARD AND MAYOR AND ALDERMAN, that Zoning Ordinance 04-09 of the Town of Nolensville is amended by revising said ordinance as follows:

SECTION 1:
Article 1.13.2 is amended to define automotive/vehicular sales and services as follows:

Automotive/Vehicular Sales: The retail sales of automotive/vehicular and recreational motor sales and incidental or maintenance services, including boat, truck and trailer sales. This definition does not include paint and body shops. This definition shall be inserted following the definition for Automated Teller Machine.

SECTION2:
Article 2.2.7 is amended as follows:

Amend the CS zone to allow automotive/vehicular sales and services under permitted with conditions; to be inserted following Supermarket.

SECTION 3:
Article 2.3.0 is amended as follows:

Add a section 2.6.0 Uses Permitted With Conditions (PC) that list the conditions that must be met for automotive/vehicular sales and services to be allowed in the CS zone and shall read as follows:

2.6.0 Automotive/Vehicular Sales and Services

A. Primary access shall not be permitted on a local residential street.

B. Minimum lot size of three (3) acres, excluding land in floodplain. All of counted area for meeting minimum must be on the same side of the floodplain, and out of the floodplain.

C. No inoperable motor vehicles can be kept on premises of vehicular sales operations.

D. Repair of any type vehicle must be performed within closed buildings.

E. No outdoor loudspeakers shall be used anywhere on the lot.

F. Must meet performance standards in Article 8 (lighting, noise, etc.)

G. Overflow vehicle storage must be stored on same lot.

H. All buildings and vehicle loading areas must be located a minimum of 200 feet from any existing residential uses.

I. Minimum street frontage at 300'.

K. Minimum building setback at 100' from r-o-w.

L. Cannot be located on any part of another land use (e.g.; in front of an office or store).

SECTION 4:

The provisions contained herein shall be incorporated in the zoning ordinance #04-09, as amended, which ordinance shall now be designated as ordinance #04-09. The adoption of this ordinance is the adoption of the entire zoning ordinance as modified and amended by this ordinance and the Zoning Ordinance shall hereinafter be referred to as ordinance #04-09.

SECTION 5:

The Mayor and Board of Aldermen of the Town of Nolensville, Tennessee, hereby certify that these amendments have been submitted by the Planning Commission of the Town of Nolensville, and a notice of hearing thereof has been ordered has been ordered

of the time and place of said meeting has been published in a newspaper circulated in the Town of Nolensville, Tennessee. This Ordinance shall take effect immediately from the date of its final passage, the public welfare demanding it.

                                                  _____

                                                  Charles F. Knapper, Mayor

Attest: _____
          Town Recorder

Approved by: _____
               Town Attorney

Passed 1st Reading: _____

Passed 2nd Reading: _____

Public Hearing: _____